

Central Election Commission of Georgia



A GUIDE FOR PRECINCT SPECIAL GROUP MEMBERS

Tbilisi 2002

TABLE OF CONTENTS

MESSAGE FROM THE CEC CHAIRMAN	3
1. Who can be a voter (Article 5, Election Code of Georgia)	4
2. Who is not allowed to vote	4
3. Arranging an Election Precinct (Article 50, UEC)	5
4. Procedures before voting begins (Article 52, UEC)	5
5. Control Papers (Article 52-6, UEC)	7
6. Receipt of the election ballots papers and special envelopes from the Election District (Article 51, UEC)	7
7. Voting (Article 53-54, UEC)	8
8. Identification documents (Article 128, Point 3, UEC)	9
9. Voter's lists (Article 50, UEC)	9
10. If a voter's name is omitted from the main voter's list (Article 128, UEC)	9
11. Transparent Election Boxes (Article 50, UEC)	10
12. Mobile Ballot Box (Article 56, UEC)	10
13. Regulating the Flow of Voters	10
14. Keeping Order (Article 55, UEC)	11
15. Authorized representative having the right to be in the building (Article 67, UEC)	11
16. Rights and responsibilities of an observer:	12
17. Election Subject Representative (Article 71, UEC)	13
18. Media Representatives (Article 72, UEC)	13
19. Closing the Election Precinct (Article 54, UEC)	14
20. Procedures before opening the ballot box (Article 57, UEC)	14
21. Opening the Ballot Box (Article 58, UEC)	14
22. Vote Counting (Article 59, UEC)	15
23. Packing and Sealing Election Documentation (Article 59, UEC)	16
24. Compilation of the Summarizing Protocol (Article 60, UEC)	17
25. Appeals (Article 22, 61, GEC)	18
Georgian Criminal Code	20
Georgian Code of Administrative Law Violators.	21
Precinct Arrangement	22

MESSAGE FROM THE CEC CHAIRMAN



Dear **Precinct Election Special Group Member:**

On behalf of the Central Electoral Commission, I want to thank you for serving as election officer for the November 30, 2002 Parliamentary By-election. Your commitment to the democratic process and service to our Nation is deeply appreciated.

As a member of a Precinct Election Commission, you are charged with very important responsibilities in the election process. The manner in which you carry out your duties determines the degree to which voters, candidates, and political parties have confidence in the integrity of the election process.

This Election Day Guide has been designed to provide you with specific guidance and the necessary information about the voting and counting procedures that are to be followed during the November 30, 2002 Parliamentary By-election.

Read the Election Day Guide carefully and make sure that you understand thoroughly your role and responsibilities.

Once again, thank you for your service and I wish you all of the best on Election Day.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Lominadze', written in a cursive style.

Jumber Lominadze
Chairman
Central Election Commission of Georgia

A Guide for Precinct Election Special Group Members

The rules on voting procedures, vote counting and collecting and submitting election materials to the District Election Commission

1. WHO CAN BE A VOTER (ARTICLE 5, ELECTION CODE OF GEORGIA)

- A voter can be a citizen of Georgia who is at least 18 years old on Election Day.
- In order to be eligible to vote, a person must be registered on the voter's list of his/her precinct of residence.

2. WHO IS NOT ALLOWED TO VOTE

- A person whose name is not in the voter's list for the relevant precinct, or who cannot present an ID card proving residence in that precinct.
- A voter, who does not have any kind of identification document, even if voter is in the voter's list.
- A voter with the IDs of his/her family members, wanting to vote on behalf of them. (Every voter must vote for him/herself. Voting on behalf of others is prohibited).
- A voter, who has been proved ineligible by a court.
- A voter, who is in a penitentiary establishment by sentence of a court.

3. ARRANGING AN ELECTION PRECINCT (ARTICLE 50, UEC)

- Secret voting booths or rooms must be arranged;
- One registration table and one voting booth must be established for every 400 voters;
- The voting booths must be properly lit and equipped with pens;
- A sample ballot paper and the instructions about voting rules must be published in a public place;
- Information about election candidates and political parties must be published in a public place;
- Information about those candidates whose names have been excluded from the candidates' list must be in a public place.
- A transparent ballot box must be placed in a visible place so that every voter can find it without any obstacles and leave the voting room after putting the special envelope in the ballot box;
- Supplementary and general voter lists must be published in a public place

4. PROCEDURES BEFORE VOTING BEGINS (ARTICLE 52, UEC)

The PEC chairperson assigns duties to the Precinct Election Special Group Members by means of casting of lots before voting begins;

The casting of lots decides who will be responsible for:

- Registering voters and issuing election ballot papers (The number of such members depends upon the number of registered voters in the precinct;
- Stamping ballot papers and envelopes and the two members of the special group who will sign them;
- Supervising the ballot box;
- Accompanying the Mobile Election Box (at least two members of the Precinct Election Special Group);
- Regulating the flow of voters;
- In special cases, a member of the special group can carry out other duties as assigned by the chairperson.

The casting of lots for the division of duties.

The PEC chairperson conducts casting of lots by the following rules:

- The sealed stamp pack is checked for intactness and then opened;
- The duties of special group members is written on the same size and type of paper with the same color pen;
- The papers are authorised with the special group's seal and folded so that the text is not readable;
- The number of papers coincides with the number of special group members responsibilities. [shouldn't these be the other way round?]
- The number of papers must be equal to the number of special group members;
- These papers are placed in a transparent election box and each member of the special group pulls out one paper from the box.
- With the agreement of the PEC chairperson a duty defined by the results of casting lots, can be temporarily assigned to another member of the Commission.

The Special Group Chairperson:

- Announces the number of voters in accordance with the election lists after completing the cast of lots for Precinct Special Group members responsibilities and assigning of duties;
- Checks the pack of ballot papers and special envelopes and announces the number of received ballots and special envelopes on the basis of issuing/receiving protocol, written in the election district;
- Checks and seals the main and mobile ballot boxes after the first vote and control papers are deposited;
- The special group chairperson gives one pack of ballot papers and special envelopes to each member of the special group who is responsible for issuing them. The chairperson and the members of the special group verify this operation by signing the cover paper of the pack.

Remember!

The Election Boxes must be sealed in a way that makes it impossible to either add or take something out without ruining the unison of the box.

5. CONTROL PAPERS (ARTICLE 52-6, UEC)

Once the main and mobile ballot boxes are sealed, the control papers must be deposited by the first voter at the precinct (both ballot boxes). The control papers must be signed by:

- The first voter;
- Every attending member of the Special Group;
- The control papers must note the exact date and time of voting, full name of the first voter, place of registration, passport/ID number, or the type and number of any other kind of identification document.

6. RECEIPT OF THE ELECTION BALLOTS PAPERS AND SPECIAL ENVELOPES FROM THE ELECTION DISTRICT (ARTICLE 51, UEC)

No later than 24 hours prior polling day the person responsible for the precinct election special group, receives the following materials from the district election commission:

- Ballot papers and special envelopes;
- Election precinct special group seals and stamps in a sealed package;
- Election precinct special group journal in a numbered, tied and stamped condition.
- Two copies of the issue/receipt protocol are prepared

The protocol must state:

- The names of the election commissions issuing/receiving the election documents;
- The type, numbers and quantity of ballot papers issued and received;
- The number of special envelopes;
- The number of stamps, seals and journals.

The "issue/receipt" protocol is signed by the persons who have issued and received the ballot papers and special envelopes. Both the DEC and Special Group representatives should keep a copy of this protocol.

7. VOTING (ARTICLE 53-54, UEC)

- Voting begins at 7:00 a.m. and finishes at 20:00 p.m.
- Each voter votes personally. A voter may not vote on behalf of someone else. Therefore each voter must be issued with only one ballot paper and special envelope;
- More that one voter may **not** be in one and the same voting booth at the same time;

Voting is conducted according to the following rules and procedures:

- The voter presents the special group member with their voter card along with one of the ID documents listed in part 9, and signs the voter's list next to the voter's name;
- The special group member notes the type and number of the presented ID documents in the relevant part of the voter's list;
- After this, the special group member issues one ballot paper and one special envelope to the voter;
- If a candidate has withdrawn their nomination before the election, the issuer of the ballot papers and special envelopes must write across candidate's name on the ballot paper - "Removed;"
- Both, **the ballot and special envelope** must be signed by **2 members** of the special group assigned to authorize the ballot papers, and be **stamped** with the **special group stamp**. After this procedure, the voter enters the voting booth, marks the ballot, places it in the special envelope, deposits it in the ballot box and immediately leaves the polling place.
- If a voter is not able to mark their ballot paper without assistance, the voter may be assisted by a person of his/her own choice. Special Group Members and observers may not provide such assistance.
- If a voter spoils a ballot paper, the person who issued the ballot papers and special envelopes is obliged to inform the chairperson of the special group by order of chairperson provide the voter with a new ballot paper and special envelope. The corner of the spoiled ballot paper must be cut in the presence of the voter, and placed in a special envelope marked - "Spoiled;"
- Precinct election special group members and other authorized people who are in the precinct, may check the number of ballot papers and envelopes held by the voter, **BEFORE** the voter enters the voting booth. A voter is obliged to act upon this request.
- Any form of election agitation is prohibited in the election precinct and within 100 meters of the precinct on election day. The special group members must remove all agitation materials from the pre-election period, no later than 24 hours prior to election day.

8. IDENTIFICATION DOCUMENTS (ARTICLE 128, POINT 3, UEC)

In order to obtain a ballot paper and special envelope a voter must present one of the listed ID documents:

- Identification Card of a Citizen of Georgia.
- Passport of the Republic of Georgia
- Former USSR Passport with record of the voter's place of registration.
- Military identity card
- Pensioner's Card
- Driver's license
- IDP card along with the identification card.
- Voter cards given by relevant special group

9. VOTER'S LISTS (ARTICLE 50, UEC)

The main and supplementary voter's lists must be posted in a visible place in the election precinct. Copies of these lists must be placed on the issuing table in a way that the voter can easily look up his/her name and number. Therefore, the voters' numbers on the lists that are on the walls must coincide with the numbers on the lists that are on the tables.

10. IF A VOTER'S NAME IS OMITTED FROM THE MAIN VOTER'S LIST (ARTICLE 128, UEC)

If a voter's name is not on the main voter's list, the voter's name will be entered in the supplementary voter's list upon production of appropriate Identification Card of a Citizen of Georgia and registration card or the former USSR Passport with record of the voter's place of registration.

A voter's name may be entered in the supplementary voter's list:

- According to the voting licence and identification card. The voting licence is attached to the supplementary voter's list.

11. TRANSPARENT ELECTION BOXES (ARTICLE 50, UEC)

There are two kinds of transparent election boxes:

- Stationary;
- Mobile.

If the unity of the ballot box seal is damaged, the special group stops the voting process and makes a decision about resealing the election box and continuing the voting process.

12. MOBILE BALLOT BOX (ARTICLE 56, UEC)

- The Mobile Ballot Box is used in military bases, hospitals, pre-trial detention centres, and voters who are not able to get to the polling station due to ill health or other conditions.
- The request for voting by mobile box must be received no later than 14:00 p.m. of the day before polling day. The request must be made either in a written proposal or a telephone call. The request must be registered in the special group's journal.
- The secretary of the special group must make a special note in the journal notifying the exact time of the call and the telephone number.
- The main or supplementary voter's lists is specially marked to show that the voter has requested voting by mobile box, which is signed by the secretary of the special group.
- At least two special group members, accompanied by observers, conduct voting by mobile ballot box starting after 11 a.m. of election day.
- Voting by mobile ballot box, finishes at 19:00 p.m. After this, the mobile box is sealed in such a way that it would be impossible to add or remove any envelope. The mobile ballot box must be returned to the election precinct no later than 20:00 p.m. on election day.

13. REGULATING THE FLOW OF VOTERS

A special group member regulates the flow of voters at the entrance to the precinct. The special group member, regulating the flow of voters is obliged to:

- Request an identification card from voters standing in line (a person who does not have any kind of valid documentation for voting will not be allowed to vote);
- Regulate the flow of voters, so that voting can proceed in an uncongested way and that observers and other authorized representatives can observe the voting process without any obstacles;
- Avoid the formation of unnecessary queues in the election precinct.

14. KEEPING ORDER (ARTICLE 55, UEC)

- The chairperson of the special group is responsible for ensuring the smooth and orderly flow of voters inside the election precinct. All authorized representatives are obliged to follow the chairperson's decisions.
- The police may enter the election precinct only upon request of the special group chairperson and only if it is really necessary for keeping order in the precinct.
- Immediately upon regulating the situation, the police must leave the voting territory with the agreement of the precinct chairperson.
- Armed personnel may NOT enter the election precinct.

15. AUTHORIZED REPRESENTATIVE HAVING THE RIGHT TO BE IN THE BUILDING (ARTICLE 67, UEC)

After presentation of appropriate ID cards the following persons are allowed to be permanently in the precinct:

- Members of the Special Group, Central and District Election Commissions.
- Representatives of Central and District Election Commissions of Georgia
- Election Subject Representative
- Media Representative
- Observers

16. RIGHTS AND RESPONSIBILITIES OF AN OBSERVER:

An observer has the right to:

- Attend and observe election commission sessions
- Be in the election precinct at any time during election day and observe any part of the voting process
- Replace another representative of his/her organization at any time during the voting process (if available)
- Participate in checking the ballot boxes before sealing and after they are opened
- Observe the voters' registration in the voter's lists as well as issuing of ballot papers and special envelopes
- Attend the vote counting and result summarizing procedures
- Observe the voting by mobile ballot box
- Observe the vote counting under conditions that allow him/her to see the ballot papers;
- Observe the preparation of summarizing result protocol and other documents by election commission;
- Address the precinct election special group chairperson with appeals about specific violations that have been witnessed during the voting process and require a decision from the chairperson;
- Precinct election special group members and other authorized people who are in the precinct, may check the number of ballot papers and envelopes held by the voter, **BEFORE** the voter enters the voting booth. A voter is obliged to act upon this request.
- Request a voter to show how many special envelopes the voter has in their hands after exiting from the voting booth;
- Bring a complaint to the court or to the higher level election commission regarding special group activity;
- Observe the ballot box, depositing of special envelopes in the ballot box, opening of the ballot box, counting the votes and preparing the election protocols;
- Become acquainted with the voting and election result summarizing protocols prepared by the election commissions.

An observer is not allowed to:

- Interfere with the duties and activities of the election commission;
- Influence a voter's choice;
- Agitate any election subject in any way [means what?];
- Carry the symbol or logo of any election subject;
- Violate any other requirements of this law.

17. ELECTION SUBJECT REPRESENTATIVE (ARTICLE 71, UEC)

An election subject may replace his/her representative BUT no later than 2 days before polling. Election subject notifies the relevant election commission about such replacement.

18. MEDIA REPRESENTATIVES (ARTICLE 72, UEC)

The Media representatives who are accredited with the relevant election commissions, are allowed to be in the polling station and attend election commission sessions.

No more than 3 representatives from each media/press organization are allowed to be in the election precinct on election day.

Remember!

All representatives of election subjects and the media, have rights as defined in the Part 17 of this guide and Article 70 of the Georgian Election Code.

19. CLOSING THE ELECTION PRECINCT (ARTICLE 54, UEC)

The polling station closes at 20:00 p.m. sharp. Those voters who are in the precinct at this time, including those voters who are queued at 20:00pm are allowed to vote. Note in the precinct journal the name and ID of the last person in the queue. This is the last person who can vote and this must be announced by the Chairperson.

20. PROCEDURES BEFORE OPENING THE BALLOT BOX (ARTICLE 57, UEC)

- After voting is over, the special group starts to prepare for the vote counting process. The three counting officers are decided by the casting of lots.
- The number of signatures in the main, supplementary and mobile ballot box lists, determines the overall number of voters, that is the number of voters who have received the ballot papers and special envelopes. The special group secretary immediately enters these figures in the summarizing voting protocol.

Count unused ballot papers and package election materials according to the following order (Article 57, UEC)

- *Unused ballot papers and special envelopes.* The special group secretary enters the number of unused ballot papers and special envelopes in the consolidated protocol. The same number is written on the package cover;
- *Spoiled election ballot papers and special envelopes.* The special group secretary enters the number of spoiled ballot papers and special envelopes in the consolidated protocol. The same number is written on the package cover;

Each package must have the name and the number of the relevant election precinct written on it, along with the type of election ballot papers, and the numbers of unused and spoiled ballot papers and special envelopes.

The packages must be sealed and signed by the counters and the special group chairperson.

21. OPENING THE BALLOT BOX (ARTICLE 58, UEC)

- Within the presence of the special group members and other authorized persons, the special group chairperson examines the seal of the ballot box and verifies that it is intact;
- If the seal of the ballot box is damaged, but the special group decides that this has not caused a violation of the law, the vote counting process continues by order of the special group. If the group decides that a violation may have occurred, the box is sealed and immediately sent to the District Election Commission;
- The vote counters place the ballot boxes on a separate table and are seated so that the rest of the special group members and other authorized representatives, standing at least 1 meter from the counters, can observe the process;

22. VOTE COUNTING (ARTICLE 59, UEC)

Within the presence of the special group members and other authorized persons, the special group chairperson examines the seal of the ballot box again and verifies that it is intact;

The counters open the main and mobile ballot boxes and put all the special envelopes on the table. They must check that the control sheet is in the ballot box and mix the envelopes from the main and mobile ballot boxes with each other.

Special group members count the ballot papers according to the following rules:

- The first counter takes a ballot paper from an envelope, announces the name of the candidate marked by the voter, and passes the ballot paper to the second counter. The second counter-to the third counter. The special envelope is placed separately. The counters make separate piles for each candidate. [Is this correct? We already told them to take all the envelopes from the ballot box?]
- The doubtful and invalid ballot papers are placed separately.

A ballot paper is invalid only if: (Article 59, Point 3, UEC)

- It was not placed in the special envelope;
- There is more than the designated number of ballot papers in one envelope. In such case, the word "invalid" is written on the envelope and it is put separately.
- The ballot paper does not bear the special group stamp and the signatures of two special group members.
- The special envelope does not bear the special group stamp and the signatures of two special group members.
- The ballot paper is marked in such way that it is not reasonably possible to determine the voter's choice;
- The ballot paper belongs to another election precinct;
- It is not in the official special envelope.

Remember!

The stamp and the signatures of two special group members must be on the top of the ballot paper (special place defined on the ballot paper itself); and

All the authorized representatives who are allowed to be in the polling station, may request the counter to make a separate pile of all the doubtful ballot papers. The counter is obliged to follow this requirement.

After sorting the ballot papers, the validity of all the doubtful ballot papers must be decided. The special group votes for each doubtful ballot paper.

23. PACKING AND SEALING ELECTION DOCUMENTATION (ARTICLE 59, UEC)

- Unofficial and invalid ballot papers are bound in a pack and counted separately;
- Each package of ballot papers is stamped in such way that it is impossible to take out or add a ballot paper to it without damaging the seal;
- Each package must have the name and the number of the election precinct as well as the type and the total number of the documents in the package. Each of these packages must bear the special group stamp and the signatures of the counters.;

Remember!

Every 10 ballot papers are stapled together. Every pack (complete and incomplete) has inscribed the total number of ballot papers in the package.

- The packages are bound into a single pack. The ballot paper package must have the name and the number of the election precinct as well as the name of the election subject(s) (first name, last name) and the number of votes received by him/her. Also, the number of ballot papers in the pack. The pack must bear the special group stamp and the signatures of the Counters.

24. COMPILATION OF THE SUMMARIZING PROTOCOL (ARTICLE 60, UEC)

At the November 30, 2002 parliamentary by-elections, the precinct special group prepares the results protocol (protocols) for the elections. Such protocol defines:

- The name and the number of the election precinct;
- Total number of voters
- Number of voters in the main list;
- Number of voters in the supplementary list;
- Number of voters who have participated in the elections (number of signatures in the voter's lists)
- Number of received ballot papers and special envelopes;
- Number of unused ballot papers and special envelopes;
- Number of spoiled ballot papers and special envelopes;
- Number of unofficial ballot papers and special envelopes in the ballot box;
- Number of invalid ballot papers;
- Number of votes received by each election subject (candidate)

Remember!

Every member of the special group is obliged to sign the protocol (even if they have different opinion). The consolidated protocol is approved by the special group official stamp.

Two copies of the summarizing protocol are immediately sent to the District Election Commission along with all the other packaged and sealed election materials. One copy of the protocol is given to the election subject or their representative. That person should acknowledge receipt of the protocol by signing the registration journal.

25. APPEALS (ARTICLE 22, 61, GEC)

Complaints lodged regarding violations committed during the polling (from 7:00am till closing at 8:00pm).

An appeal about any violation that has been observed during the voting process and that is requesting the invalidation of the election results, must be written immediately after the violation is committed on election day.

The appeal should identify:

- The date and time of writing the appeal;
- Name and address of the appellant;
- Name and number of the election precinct;
- The form of violation and the time when it was witnessed;
- Name and the place of registration of a witness (if any);
- The explanatory letter from violator (if available);
- Other additional information.

Remember!

An appeal about violations during the voting process has to be submitted to the special group chairperson before completion of the voting process.

The special group chairperson is obliged to react to the appeal and eliminate any existing violation;

Complaints lodged on violations committed during the counting and the result summarizing process - after 20:00 p.m on election day.

An appeal about the violation that has been observed during the counting and result summarizing processes must be written before the compilation of the final election protocol.

Such an appeal should identify:

- The date and time of writing the appeal;
- Name and address of the appellant ;
- Name and number of the election precinct;
- The form of violation and the time when it had been witnessed;
- Name and the place of registration of a witness (If any);

- Name and the place of registration of the violator (if identified)
- The explanatory letter from the violator (if available);
- Other additional information.

The appeal about violations observed during the vote counting and result summarizing processes is submitted to the District Election Commission no later than 20:00 p.m. of the day after the elections.

Remember!

Any appeal which does not meet all the requirements listed above, will not be accepted.

The special group secretary registers the appeal in the precinct journal and issues a receipt to the complainant. This receipt identifies the registration number, and date and time of receiving the appeal. The commission discusses the appeal and makes a decision.

- The special group journal closes with the signatures of the members and the secretary of the commission and is sealed with the special commission stamp.
- The special group journal and all the submitted appeals are sealed separately and bound into one package, which is attached to the rest of the materials for submission to the District Election Commission.
- The special group stamp is sealed in a separate package. The package is signed by the special group chairperson, the secretary and other members of the special group. The stamp is also attached to the materials to be submitted to the District Election Commission.

EXTRACTS FROM THE GEORGIAN CRIMINAL CODE

Article 162. Disturbance in the elections, referendum or plebiscite.

1. Disturbance in the elections, referendum or plebiscite -

is punished with a penalty or with restricting the freedom from two years, or arresting for two years.

2. The same activity committed with:

- a) Service rank or a gun
- b) falsehood
- c) trafficking or threat
- d) as a team-

is punished with a penalty, 6-month imprisonment, or 3 years arrest.

Article 163. Disturbance in the activities of the election or referendum commissions, which has ruined the process of voting, referendum or a plebiscite -
is punished with imprisonment from 2 to 5 months or arresting for 4 years.

Article 164. The violation of vote secrecy in the elections, referendum or the plebiscite. Document falsification by the member of the referendum commission, or an authorized proxy/observer, Purposeful miscounting of the votes, purposeful summarizing of the election results, or purposeful change of the results of referendum or plebiscite –

is punished with a penalty or imprisonment for 2 years.

EXTRACTS FROM THE GEORGIAN CODE OF ADMINISTRATIVE LAW

Article 174³. Interference in the work of a commission while holding elections, referendum or plebiscite, which is expressed by the disturbance while the results of voting, parliamentary or other representative candidate, party or initiative group registration, vote counting in the election precinct and the referendum or plebiscite are being defined-

is punished with the penalty of confiscating the citizen's remuneration from 2 to 4 minimal amount.

Article 174⁴ Denying the submission of necessary materials to the commissions of elections, referendum or a plebiscite -

is punished with the penalty of confiscating the official's remuneration from 2 to 5 minimal amount.

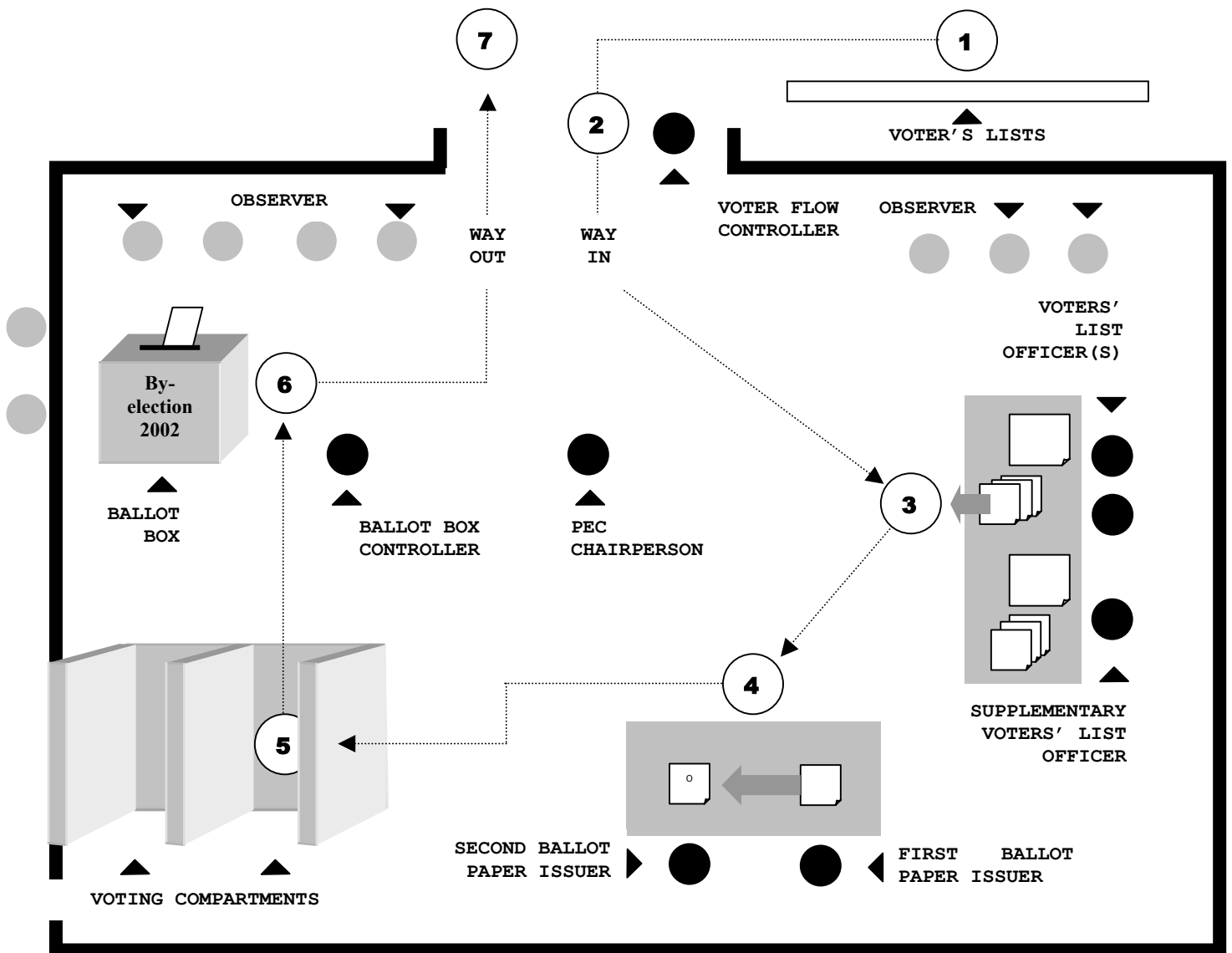
Article 174⁵ Agitation of a representative of the parliament body and the party running in the elections on the voting day-

is punished with the penalty of confiscating the citizen's remuneration from 1 to 3 minimal amount and confiscating the official's remuneration from 2 to 4 minimal amount.

Article 174⁶ Usage of gun on the premises of pre-election agitation or voting place, (unless it is connected to the job requirement) -

is punished with the penalty of confiscating the citizen's remuneration from 1 to 3 minimal amount and confiscating the official's remuneration from 2 to 5 minimal amount.

PRECINCT ARRANGEMENT



LEGEND :

- | | |
|---|--|
| <p>1 ► INSPECTION OF THE VOTERS' LIST</p> <p>2 ► ORDERLY AND REGULATED FLOW OF VOTERS INTO THE VOTING STATION</p> <p>3 ► VOTER IDENTIFICATION ON THE VOTERS' LIST AND ISSUANCE OF THE BALLOT PAPER</p> <p>4 ► VALIDATION OF THE BALLOT PAPER</p> <p>5 ► MARKING THE BALLOT PAPER IN THE VOTING COMPARTMENT</p> | <p>6 ► CASTING THE BALLOT PAPER INTO THE BALLOT BOX</p> <p>7 ► LEAVING THE VOTING STATION</p> <p>● ► PEC MEMBER</p> <p>○ ► VOTER</p> <p>● ► OBSERVER, PROXY, ETC.</p> |
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